

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F056238 People v. Kerr

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F056238 People v. Kerr

The judgment is affirmed with modifications.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F055311 Peopel v. Flores

F057252 In re Saul Herrera Flores on Habeas Corpus

The petition for writ of habeas corpus is granted; the conviction of first degree murder is vacated. The matter is remanded to the trial court with directions that the People may file a written election to try defendant on a charge of first degree murder within 60 days after the filing of the remittitur in the trial court and proceed to trial in accordance with P.C. section 1382(a)(2). If the prosecutor does not file the proper election in the specified time period, the trial court shall enter a judgment of conviction of second degree murder and sentence defendant accordingly. In all other respects, the judgment is affirmed. Vartabedian, J.

We concur: Ardaiz, P.J. ; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F055968 Ford v. Gricewich et al.,

The order denying the petition is affirmed. No costs are awarded. Cornell, Acting P.J.

We concur: Dawson, J.; Kane, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F056756 People v. Fierro-Trejo

The above-entitled case is submitted for decision.

IN THE
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IN AND FOR THE
Fifth Appellate District

- F056756 People v. Fierro-Trejo**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F053665 Barbara Bujulian v. Utilitech Finance Co., LLC et al.**
Appellant's petition for rehearing filed herein is denied.
- F056365 People v. Martin**
F057368 In re Michael Martin on Habeas Corpus
The judgment is affirmed. The petition for writ of habeas corpus is denied. Wiseman, Acting P.J.
We concur: Hill, J.; Kane, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F056118 Olson v. California Dept. of Pesticide Regulation**
The judgment is affirmed. Respondent shall recover costs on appeal. Dawson, J.
We concur: Cornell, Acting P.J.; Kane, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F054954 People v. Moberly**
The judgment of conviction and sentence are affirmed. The trial court is directed to amend the abstract of judgment to reflect that (1) the enhancement to count 1 is for section 12022.5, subdivision (a), not section 12022.5, subdivision (a)(1), and (2) the term imposed for count 3 is stayed pursuant to section 654. The trial court is further directed to send a certified copy of the amended abstract to the Department of Corrections and Rehabilitation. Dawson, J.
We concur: Cornell, Acting P.J.; Kane, J.
[CERTIFIED FOR PARTIAL PUBLICATION]
- F056722 People v. Valverde**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

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F056722 People v. Valverde

The judgment is modified to provide that one of the three one-year prior prison term enhancements is stricken. The court is directed to prepare an amended abstract of judgment indicating a six-year sentence, consisting of four years on the instant offense and one year on each of two prior prison term enhancements. The court is further directed to forward a certified copy of the amended abstract to the Department of Corrections and Rehabilitation. As modified, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F057514 R.P. v. The Superior Court of Fresno County; Fresno County Dept. of Children & Family Services

The petition for extraordinary writ is denied. This opinion is final forthwith as to this court. Wiseman, Acting P.J.

We concur: Cornell, J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]